

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



December 5, 2005

Mr. Samuel Dea
County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

**Comments on Notice of Consultation for Project
No. R2004-00659, Stokes Canyon**

Dear Mr. Dea:

The 588-acre King Gillette Ranch/Soka property, located on Mulholland Highway in the Malibu Creek watershed, was recently acquired by the public park agencies after thirty years and several attempts to preserve its rich natural and cultural resources. The National Park Service (NPS), California Department of Parks and Recreation (CDPR), and Mountains Recreation and Conservation Authority (MRCA) are actively undertaking planning efforts for the King Gillette Ranch, now one of the most significant parkland areas in the Santa Monica Mountains. The subject project site for a single family residence and associated equestrian facilities is approximately 250 feet north of the King Gillette Ranch property boundary.

It is critical that ecological health of the wildlife corridors to and from the King Gillette Ranch is maintained. Stokes Creek supports high quality habitat. The protection of Stokes Creek, and related tributaries, is important to ensure wildlife movement can continue from Stokes Canyon to areas southward. Virtually no land has been protected in conjunction with the escalating development in Stokes Canyon. Specifically, connectivity for wildlife movement along the east rim of Stokes Canyon watershed is extremely threatened.

The project consists of a single family residence and equestrian facilities including a riding area, barn area, a 400-foot-long driveway with a bridged crossing over a storm drain channel along the northern portion of the project, and an oak tree permit for encroachment within 10 oaks on the 3.44-acre property (Initial Study [IS], p. 1). The project grading will remove approximately 45-50 percent of existing vegetation (IS, p. 11).

The Santa Monica Mountains Conservancy (Conservancy) recommends that the County require that the applicant grant a conservation easement, encompassing the eastern edge of the project side, outside of the graded areas. This conservation easement would encompass the north-south running creek, and a buffer between the creek proper and the edge of the proposed grading. The width would vary, as the western edge of the conservation easement boundary would follow the eastern edge of the proposed grading limits shown on the Grading Plan/Plot Plan. The County should require that this easement be granted and recorded in favor the County and a public park agency, such as the MRCA, prior to vegetation removal, grading, or construction.

The following uses should be listed as prohibited in the conservation easement: development, structures, roads, grading, mineral extraction, grazing, corrals, vineyards, agricultural operations, planting of non-native vegetation, fencing (other than used for habitat restoration), lighting, and utilities (other than what is allowed under current utility easements). Habitat restoration should be listed as a permitted use in the conservation easement. Ideally, the project elements should be sited to not ever require any brushing in the conservation easement.

Time and time again, we have seen that unless a conservation easement is recorded (or land is dedicated to a park agency), there is no certainty for protection of the land. We have seen vineyards and corrals spring up on hillsides, on land that was presumed to be "open space." Deed restrictions are not powerful enough protection because of the inadequate ability to enforce them. Public agencies such as the County owe it to the public to use every means possible to protect this open space when projects are considered. There should be no question as to what public open space benefit is provided. Otherwise, if the "open space" is developed later, this is piecemealing of the analysis of environmental impacts, contrary to the intent and spirit of the California Environmental Quality Act. If the applicant balks at the added requirement of this added layer of protection via a conservation easement, one needs to wonder why. Also, conservation easements are critical for adequate planning with respect to connecting the open space portions of one project site to open space portions of the next project site.

The Conservancy recommends that the County departments (i.e., Planning and Fire) work closely on this project to ensure that the impacts associated with brush clearance requirements are minimized within this conservation easement area, or better yet, totally eliminated in the conservation easement area.

County of Los Angeles
Project No. R2004-00659, Stokes Canyon
December 5, 2005
Page 3

The Conservancy concurs that a visual analysis should be conducted regarding views from Mulholland Highway, a designated scenic highway. This visual analysis should also address views from King Gillette Ranch.

In summary, the Conservancy recommends that the County require a conservation easement over the eastern portion of the project, including the creek, be granted to the County and a park agency such as MRCA at no cost. The ecological significance of the project site, given its proximity to the King Gillette Ranch, warrant this requirement. Thank you for your consideration of these comments. Please direct any questions and all future correspondence regarding this project to Judi Tamasi of our staff at the above address and by phone at (310) 589-3200, ext. 121.

Sincerely,

ELIZABETH A. CHEADLE
Chairperson

cc: NPS
CDPR
MRCA